

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Aronow, et al v. Islamic Republic of Iran</i>	18-cv-12001 (GBD)(SN) ECF Case

**DECLARATION IN SUPPORT OF ARONOW PLAINTIFFS' MOTION FOR ENTRY OF
PARTIAL FINAL DEFAULT JUDGMENTS AGAINST THE ISLAMIC REPUBLIC OF
IRAN AS TO LIABILITY AND DAMAGES**

NOEL J. NUDELMAN, Esquire, hereby states under penalty of perjury that:

1. I am a member of the law firm of Heideman Nudelman & Kalik, PC, attorneys for the Plaintiffs in the above-captioned matters. I submit this Declaration in support of this motion on behalf of the Plaintiffs identified in Exhibit A (attached hereto) from the action titled *Aronow, et al., v. The Islamic Republic of Iran*, 18-cv-12001 (GBD)(SN) (“Aronow”).

2. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:

- a. The Court’s order dated January 24, 2017 (ECF No. 3435¹), requiring that “[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards [referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committee (ECF No. 3433)] and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if relief has been awarded, the nature of that relief).” For compliance with the required sworn declaration, please see paragraph 7, below.
- b. The Court’s Order dated October 14, 2016 (ECF No. 3363) concerning the amounts of solatium damage awards.

¹ Unless indicated differently, citations to ECF Nos. are to the docket in *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD)(SN).

- c. The Court's Order dated October 14, 2016 (ECF No. 3362) related to the cases captioned as *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-CV-6977 (GBD)(SN).

3. The form of this motion and the relief requested herein are also consistent with the form and relief requested and granted as to other plaintiffs in actions against Iran pending within this Multi-District Litigation.

4. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the *Aronow* Plaintiffs listed in Exhibit A, in connection with the September 11th terror attacks, other court records relating to the *In re Terrorist Attack on September 11, 2001* multidistrict litigation to which these individuals are parties, my communications with other counsel for other plaintiffs in the *In re Terrorist Attack on September 11, 2001* multidistrict litigation, and conversations with these plaintiffs and other family members of these plaintiffs. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

5. The *Aronow* Plaintiffs identified in Exhibit A are each family members (in this instance, spouses, parents, children, and siblings (or the estate of a spouse, parent, child, or sibling)) of decedents from the terrorist attacks on September 11, 2001, as indicated for each person on Exhibit A.²

6. The solatium amounts set forth in Exhibit A are the figures this Court has previously determined appropriate for solatium damages based on familial relationship to the decedent. *See, e.g.*, 03-md-1570, ECF Nos. 3175 at 2; 3300 at 1; 3358 at 9; 3363 at 16; 3399, 3666, and 4023.

² Exhibit A also includes the estates of solatium plaintiffs who are now deceased.

7. After reviewing the records available to me regarding other judgments entered by this Court against the Iranian defendants, I have not identified any relief that has previously been awarded to any particular plaintiff identified in Exhibit A.

8. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committees (ECF No. 3433) and (2) personally verified that, based on my review of the records available to me regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to any plaintiff included in the judgment.

9. Accordingly, I am filing contemporaneously with this Declaration a Proposed Order of Judgment as to Liability in the *Aronow* case and for Partial Final Judgment on Behalf of the Plaintiffs Identified in Exhibit A, conforming to the Court's previous orders.

Dated: September 10, 2019

/s/ Noel J. Nudelman

Noel J. Nudelman, Esq.
HEIDEMAN NUDELMAN & KALIK, PC
1146 19th Street, NW, Fifth Floor
Washington, DC 20036
Tel: (202) 463-1818
Fax: (202-) 463-2999
E-mail: njnudelman@hnklaw.com